

**HUMAN RESOURCES POLICY**  
**Fauquier County, Virginia**

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**Policy Title: Leave Donation**  
**Section No.: 2-J**  
**2/2/9906/18/01**

**Effective Date: 04/21/03**  
**Supersedes Policy:**

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**I. PURPOSE**

It is the objective of the Board of Supervisors to allow employees to participate in a leave donation program.

**II. SCOPE**

This policy applies to all permanent full-time and permanent part-time employees.

**III. DEFINITIONS**

Serious Medical Condition

A serious medical condition is defined as any illness or non-work related injury which, as certified by a physician, requires medical attention.

**IV. PROCEDURES**

**A. Leave Donation Guidelines**

1. Leave shall not be donated or transferred from one employee to another except in cases of serious medical necessity, as approved by the County Administrator.
2. Use of donated leave shall be for an employee's own serious medical condition or to care for a spouse, son, daughter, or parent with a serious medical condition.
3. Leave donations shall convert to sick leave for recipients.

**B. Eligibility To Receive Leave Donations**

1. To be eligible to receive leave donations, an employee must exhaust all accrued annual and compensatory leave balances, and all but one week of accrued sick leave. One week of sick leave shall be calculated based upon the employee's normally scheduled workweek.

2. If the employee is a participant of the sick leave bank, and all required leave balances have been exhausted, the employee may request donated leave both before eligible for the sick leave bank and after allowable sick leave bank resources have been exhausted.
3. An employee's continued eligibility to receive leave donations shall be reviewed and monitored by the Human Resources Department.

C. Request To Receive Leave Donations

1. An employee wishing to receive donated leave shall inform his or her Department Head/Constitutional Officer.
2. The employee must provide medical certification from a physician.
3. The Department Head/Constitutional Officer shall review the employee's leave record and medical certification with a Human Resources representative to determine the appropriateness of the request.
4. In the event that the employee is physically or mentally unable to initiate a request, a family member, person holding power of attorney, court appointed guardian or the employee's Department Head/Constitutional Officer may file the request.

D. Request Processing

1. Following a determination that the leave request is appropriate, the Human Resources representative shall submit a formal request to the County Administrator.
2. Upon approval by the County Administrator, the Human Resources representative shall communicate the request to all potential donors (either within a specific Department or to all general government Departments, as requested by the recipient), but will not reveal the identity of the requesting employee unless the employee gives his or her permission.

E. Donor Guidelines

1. Donations to recipients shall be in the form of annual or compensatory leave only.
2. Donors are not required to retain minimum balances of their own annual or sick leave, nor is there a limit on the number of hours of annual leave they may donate.
3. All donations of leave shall be processed anonymously, unless the donor requests otherwise.

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F. Donor Procedures And Processing

~~A.1.~~ To contribute leave, donors must complete a Donation of Leave form and submit the form to the Human Resources Department.

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~~A.2.~~ Donations to recipients shall be made in full day increments (i.e., ~~A.~~ donations of 7.5 hours for 37.5 hour workweek employees, 8 hours for 40 hour workweek employees and 10 hours for 50 hour workweek employees).

3. All leave donations received shall be tallied with a pro-rated amount of leave being deducted from each donor based upon the amount needed by the recipient.

4. Donations of leave shall not be deducted from the donor's leave balance until used by the recipient.

~~45.~~ Unused donations shall revert to the donor. ~~Any unused donated leave will revert to the Sick Leave Bank.~~

~~A.~~G. Exclusions

1. Medical conditions resulting from the following will exclude an employee from eligibility to receive leave donations:

- a. any occupationally-related accident or illness for the period for which Workers' Compensation benefits have been awarded;
- b. injuries occurring in the course of the commission of a crime; or
- c. injuries occurring in the course of driving under the influence of alcohol or drugs.

2. Employees are ineligible to use donated leave during the period of any disciplinary suspensions.